

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 27TH DAY OF NOVEMBER, 2020

PRESENT

THE HON'BLE MRS. JUSTICE S.SUJATHA

AND

THE HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM

W.P.H.C.NO.92 OF 2020

BETWEEN:

MR. WAJEED KHAN .H .B
S/O BASHEER KHAN .H .M
AGEDA BOUT 25 YEARS
R/AT NO.562, 6TH MAIN
4TH STAGE, RAJARAJESHWARI NAGAR
BENGALURU-560 098

....PETITIONER

(BY SRI. VIJAYAKUMAR KO, ADVOCATE)

AND:

1 . THE COMMISSIONER OF POLICE
BANGALORE CITY, INFANTRY ROAD
BENGALURU-560 001

2 . THE STATION HOUSE OFFICER
CHANDRA LAYOUT POLICE STATION
ATTIGUPPE, CHANDRA LAYOUT
BENGALURU-560 040

....RESPONDENTS

(BY SRI. V.S. HEGDE, SPP-2)

THIS WPHC IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA, BY THE PETITIONER PRAYS THIS HON'BLE COURT BE PLEASED TO ISSUE A WRIT IN THE NATURE OF HABEAS CORPUS DIRECTING THE RESPONDENTS TO PRODUCE THE PERSON OF KUM.RAMYA .G D/O SRI. GANGADHAR AND SMT. GIRIJA, BEFORE THIS HON'BLE COURT AND TO SET HER AT HER LIBERTY.

THIS WPHC COMING ON FOR ORDERS THIS DAY, **S.SUJATHA J.**, MADE THE FOLLOWING:

ORDER

This writ petition in the nature of Habeas Corpus has been filed by the petitioner seeking direction to the respondents to produce Kum. Ramya.G. before this Court and set her at liberty.

2. The jurisdictional police have produced Kum.Ramya.G. daughter of Sri.Gangadhar and Smt. Girija, before this Court. On the directions issued by this Court, the parents of Kum.Ramya.G. as well as the petitioner- Mr.Wajeed Khan and his mother Smt.Sreelakshmi are also present before the Court.

3. Kum.Ramya.G. submits that she is staying at Mahila Dakshatha Samithi, Vidyaranyapura, at present, pursuant to the complaint lodged by her to the Janodaya Santwana Kendra alleging infringement of her right to liberty caused by her parents relating to her marriage with the petitioner. It is submitted that she has decided to marry the petitioner who is a colleague of her, working at IQVIA as a software engineer. The mother of the petitioner Smt. Sreelakshmi has no objections for the marriage of her son Wajeed Khan with her. However, her parents are not giving consent to the said marriage.

4. It is well settled that a right of any major individual to marry the person of his/her choice is a fundamental right enshrined in the Constitution of India and the said liberty relating to the personal relationships of two individuals cannot be encroached by anybody irrespective of caste or religion.

5. The scope of habeas corpus being limited to produce the person of Kum.Ramya.G. and she being produced before the Court, recording her submission as aforesaid, we dispose of the writ petition setting her at liberty.

6. Kum.Ramya.G. being a software engineer at IQVIA is capable of taking decision regarding her life.

7. The Mahila Dakshata Samithi is directed to release Kum.Ramya.G. forthwith.

8. Accordingly, the writ petition stands disposed of.

Sd/-
JUDGE

Sd/-
JUDGE

*alb/-.